

PILLSBURY WINTHROP SHAW PITTMAN LLP

MARK D. LITVACK (State Bar No. 183652)

mark.litvack@pillsburylaw.com

CAROLYN S. TOTO (State Bar No. 233825)

carolyn.toto@pillsburylaw.com

725 South Figueroa Street, 36th Floor

Los Angeles, CA 90017

Telephone: (213) 488-7100 / Facsimile: (213) 629-1033

RANJINI ACHARYA (State Bar No. 290877)

ranjini.acharya@pillsburylaw.com

2550 Hanover Street

Palo Alto, CA 94304-1115

Telephone: (650) 233-4500 / Facsimile: (650) 233-4545

Attorneys for Defendant

FLUIDMASTER, INC.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

DANCO, INC., a Delaware Corporation

Plaintiff,

vs.

FLUIDMASTER, INC., a California
corporation; and DOES 1 THROUGH 5,
inclusive,

Defendants.

Case No. 8:23-cv-01156-AB-DFM

**DEFENDANT FLUIDMASTER,
INC.'S NOTICE OF PENDENCY
OF OTHER ACTIONS OR
PROCEEDINGS**

[C.D. Cal. Civil L.R. 83-1.4]

Judge: The Hon. André Birotte Jr.

Plaintiff Danco, Inc. (“Plaintiff”) has accused Defendant Fluidmaster, Inc. (“Defendant”) of infringing claims 1-7, 9, 11-18, 20-24 of U.S. Patent No. 9,103,105 (“the ’105 Patent”), claims 1-5, 8, 10-17, 19-20 of U.S. Patent No. 9,139,993 (“the ’993 Patent”) and claims 1-14 of U.S. Patent No. 10,934,698 (“the ’698 Patent”) (collectively, “Asserted Claims”). On March 6, 2024, Defendant filed in the U.S. Patent and Trademark Office (“USPTO”) Petitions for *Inter Partes* Review of all claims in the ’105 Patent (assigned IPR2024-00634), the ’993 Patent (assigned IPR2024-00633) and the ’698 Patent (assigned IPR2024-00635), including all of the Asserted Claims (“IPRs”). On March 13, 2024, the IPRs were accorded the filing date of March 6, 2024 (*see* Exhibits A-C hereto). Accordingly, and pursuant to C.D. Cal. Civil L.R. 83-1.4, Defendant hereby provides notice to the Court of its IPRs challenging all claims of the ’105 Patent, ’993 Patent and ’698 Patent, which encompass all of the Asserted Claims that have been asserted in this action.

Pursuant to Local Rule 83-1.4.2, Defendant provides the following information about its IPRs:

(a) A description sufficient to identify all other actions or proceedings

The related proceedings that are the subject of the instant Notice are captioned as *Fluidmaster, Inc. v. Danco, Inc.*, IPR2024-00633 (P.T.A.B.), *Fluidmaster, Inc. v. Danco, Inc.*, IPR2024-00634 (P.T.A.B.) and *Fluidmaster, Inc. v. Danco, Inc.*, IPR2024-00635 (P.T.A.B.).

(b) The title of the court or administrative body in which the other actions or proceedings are pending

Defendant’s IPRs were filed with the Patent Trial and Appeal Board of the U.S. Patent and Trademark Office.

1 **(c) The names of the parties or participants in such other actions or**
2 **proceedings**

3 Defendant will participate in the IPRs as the Petitioner. Defendant expects that
4 Plaintiff will participate in the IPRs as the Patent Owner.

5 **(d) The names, addresses and telephone numbers of the attorneys in such**
6 **other actions or proceedings**

7 Defendant is represented by Carolyn Toto and Ranjini Acharya, who are
8 counsel of record in this case, and their partner Evan Finkel, all of Pillsbury Winthrop
9 Shaw Pittman LLP, as follows:

- 10 • Carolyn Toto
11 Evan Finkel
12 Pillsbury Winthrop Shaw Pittman LLP
13 725 South Figueroa Street, 36th Floor
14 Los Angeles, California 90017
15 Tel: (213) 488-7100
16 • Ranjini Acharya
17 Pillsbury Winthrop Shaw Pittman LLP
18 2550 Hanover Street
19 Palo Alto, California 94304
20 Tel: (650) 233-4500

21 The IPRs were served on March 6, 2024 on Plaintiffs' counsel of record in this
22 action, Eric Maurer and Cynthia Lee, both of Perilla Knox & Hildebrandt LLP, and
23 David Martinez and Li Zhu, both of Robins Kaplan LLP, as follows:

- 24 • Eric Maurer
25 Cynthia Lee
26 Perilla Knox & Hildebrandt LLP
27 5871 Glenridge Drive, Suite 350
28

Atlanta, GA 30328

Tel: (470) 657-9519

- David Martinez

Robins Kaplan LLP

2121 Avenue of the Stars, Suite 2800

Los Angeles, California 90067

Tel: (310) 552-0130

- Li Zhu

Robins Kaplan LLP

555 Twin Dolphin Drive, Suite 310, Redwood City, California 94065,

Tel: (650) 784-4040

The IPRs were also served on March 6, 2024 on the attorneys of record for the Patent Owner, Danco, Inc., in the United States Patent and Trademark Office, as follows:

- Thomas Horstemeyer, LLP

3200 Windy Hill Road, SE, Suite 1600 E

Atlanta, Georgia 30339

Tel: (770) 933-9500

- (e) **A brief factual statement setting forth the basis for the attorneys' belief that the action involves all or a material part of the subject matter of such other actions or proceedings**

In the IPRs, Defendant has petitioned the PTAB to review the patentability (*i.e.*, validity) of each claim of the '105 Patent, the '993 Patent and the '698 Patent. Since the '105 Patent, the '993 Patent and the '698 Patent are the patents asserted in this patent infringement lawsuit, and because the validity of each of the Asserted Claims is

1 at issue in this action, this action involves “a material part of the subject matter of” the
2 IPRs.

3
4 Dated: March 13, 2024

PILLSBURY WINTHROP SHAW PITTMAN LLP

5
6 By: /s/ Carolyn S. Toto

MARK D. LITVACK (State Bar No. 183652)

CAROLYN S. TOTO (State Bar No. 233825)

8 RANJINI ACHARYA (State Bar No. 290877)

9 Attorneys for Defendant Fluidmaster, Inc.
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